IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.2422 OF 2005

Khernagar Saraswati Ganesh Co-operative
Housing Society Limited : Petitioner

V/s.

Maharashtra Housing and Area Development
Authority & Anr. : Respondents

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Mr.V.S.Kapse with Mr.H.R.Pawar for the petitioner.

Mr.Pradeep Jadhav for respondent No.1.

Mr.H.M.Deshpande for respondent No.2.

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CORAM : H.L.GOKHALE & S.R.DONGAONKAR,JJ.

DATE : MARCH 14, 2006.

P.C.:

1. Heard Mr.Kapse in support of this petition as also the learned counsel for the respective respondents.

2. Counsel for the petitioner and respondent No.2 tendered Consent Terms arrived at between them which have been signed by the Chairman and the Secretary of the petitioner-society and respondent no.2 as well as their Advocates on record. They seek an order in terms of the Consent Terms and submit that the petition be disposed of in accordance therewith.

The Consent Terms are taken on record and marked 'X' for identification. The undertakings contained therein are accepted.

3. In para 3A, it is recorded that the petitioner shall hand over the possession of the said plot to respondent No.1 on 16.3.2006 at 12 noon. Officers of MHADA are expected to remain present at the site on that date and enter into necessary documents for taking over possession.

4. The petition stands disposed of in terms of the Consent Terms.

H.L. GOKHALE, J.

S.R.DONGAONKAR, J.